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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,307	12/29/2000	Jerry Dwight Doty II	2705-101	7831

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EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,307

Applicant(s)

DOTY ET AL.

Examiner

Karen Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6, 9, 10-14 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bales et al. (U.S. 5,991,263).

Regarding claims 1 and 9, Bales teaches a method and a computer-readable medium for Switching active calls between entities (fig.1, item 111 and 112) on a network device (Fig. 1, switching system), the method comprising:

collecting information about a current call active on a first entity (Fig. 1, item 111 and Col. 3, lines 4), initializing a second entity (Fig. 1, item 112 or 109), switching the current call from the first entity to the second entity (Col. 3, lines 7-9); and releasing the first entity (Col. 2, lines 4-5).

Regarding claim 6, Bales further teaches initializing a second entity further comprises initiating a retain sequence on the second entity (col.5, lines 6-9).

Regarding claims 10 and 11, Bales teaches the computer-readable medium comprises a

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downloadable file and image file uploadable into digital signal processor (Col. 4, lines 27-35).

Regarding claims 12 and 14, Bales further teaches a network device, comprising:

At least two means for handling active calls (Fig. 1, item 111 and 109);

A means for connecting the means for handling active calls with means for transmitting phone calls; and a means for switching active calls from a first means for handling active calls to another means for handling active calls, thereby eliminating any active calls on the first means for handling active calls (Col. 1, lines 59-Col. 4, lines 5).

Regarding claim 13, Bales further teaches the device of claim 10 wherein the controller is part of a processor located on one of the entities (Fig. 3, item 301).

Regarding claim 19, Bales further teaches the means for switching active calls further comprises a controller (Fig. 3, item 301).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 2-4 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bales et al. (U. S. 5,991,263) in view of Reine et al (6,347,093).

Regarding claims 2-4 and 15-18, Bales does not teach the entities are digital signal processors located within the same module, the entities are modules located on the same card, and the entities are cards in the network device. However, Reine teaches the entities are digital signal processors located within the same module, the entities are modules located on the same card, and the entities are cards in the network device (Col. 3, lines 61- Col.4 lines 2, and Col. 4, lines 38-49). Reine teaches a processing system capable of performing both modem processing on analog or voice originated calls as well as ISDN processing on ISDN-type telephone calls. The telephone data processing system can be of the type described as MICA Unit. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use MICA unit of Reine as entities of Bales.

5. Claims 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bales et al. (U. S. 5,991,263)

Regarding claim 5, Bales does not teach the steps of copying compression dictionary tables from the first entity and loading compression tables in the second entity. However, to achieve a high data rate data compression has always been introduced. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to compress and decompress data while transmission to have larger volume of data.

Regarding claims 7 and 8, Bales does not teach the information about a current call includes modulation and country code. Each country uses different carriers, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to include type of modulation and country code to verify what type of carrier that country uses.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,291,611 to Davis et al, Modular signal processing unit is easily upgraded by replacing the single chip DSP's as such technology improves.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Hand-delivered responses should be brought to

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 703-308-4998. The examiner can normally be reached on Monday - Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Karen Le
KLL
July 11, 2003



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600